

Application No.: 10/604,609

Docket No.: 21806-00152-US

Applicants respectfully traverse the Restriction Requirement for the following reasons.

MPEP Section 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

In particular, the claims of the present invention would appear to be part of the same technology area (i.e., resistors and heaters). Though the Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)), in the present case, the claimed subject matter may be classified in different subclasses of the same class and Applicants respectfully submit the inventions are not independent. That is, Applicants respectfully submit that an examination of one set of claims will require a search in the classes common to the same technology area.

Therefore, Applicants respectfully request that the Restriction Requirement be withdrawn. However, if the present Restriction Requirement is not withdrawn, examination on the merits of Group I, Claims 1-10 is believed in order and an early and favorable action to that effect is respectfully requested.

If the Examiner is aware of another method to make the product as claimed, using a process which is materially different from that set forth in the restricted claims, applicant respectfully requests the Examiner to substantiate his position in greater detail. Otherwise, it is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1-10 presently pending in this application be examined.

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 09-0456, under Order No. 21806-00152-US from which the undersigned is authorized to draw.

Dated: February 1, 2005
29029_1

Respectfully submitted,

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